



1 RICHARD A. HARRIS, ESQ.
Nevada Bar No: 505
2 A. J. SHARP, ESQ.
Nevada Bar No. 11457
3 RICHARD HARRIS LAW FIRM
801 South Fourth Street
5 Las Vegas, NV 89101
6 Telephone: (702) 444-4444
7 Fax: (702) 444-4455
Email: aj@richardharrislaw.com
8 *Attorneys for Plaintiff*
9 *Diane Frink*

10 **UNITED STATES DISTRICT COURT**

11 **DISTRICT OF NEVADA**

12 DIANE FRINK,) **CASE NO: 2:16-cv-01412-RFB-PAL**
13)
14 Plaintiff,)
15 vs.)
16)
17 MARIE CALLENDER PIE SHOPS, LLC,)
18 a Foreign Limited Liability Company;)
19 DOES 1-10 and ROE BUSINESS)
ENTITIES 1-10, inclusive)
20 Defendants.)
21)

22 **STIPULATION TO TRANSFER VENUE**
23 **PURSUANT TO 28 U.S.C. 1404(a)**

24 COME NOW PLAINTIFF DIANE FRINK, by and through her counsel, A. J. SHARP,
25 ESQ. of the RICHARD HARRIS LAW FIRM, and Defendant MARIE CALLENDER PIE
26 SHOPS, LLC, by and through its counsel, DANIELA LABOUNTY, ESQ. of the law firm of
27 OLSON, CANNON, GORMLEY, ANGULO & STOBERSKI, and stipulate, subject to this
28 Court's approval, to transfer venue in this matter pursuant to 28 United States Code Section
1404(a).

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1 The parties represent that, as required by 28 United States Code Section 1404(a), this
2 matter “might have been brought” in the United States District Court for the Eastern District of
3 California, and that “the parties have consented” to the transfer to that District. The events that
4 gave rise to this lawsuit are alleged to have occurred within the jurisdiction of that Court.
5 Further, the parties represent that a transfer of venue to that Court is “[f]or the convenience of
6 the parties and witnesses, [and] in the interests of justice.” *See* 28 U.S.C. 1404(a).
7

8 The parties further represent that this transfer of venue, if approved and ordered by this
9 Court, will moot the pending Motion To Dismiss For Lack Of Personal Jurisdiction filed by
10 Defendant MARIE CALLENDER PIE SHOPS, LLC (*Docket Filings #2, #4* (corrected image)).
11 The parties therefore request that, upon this Court’s ordering of transfer of venue to the Eastern
12 District of California, that Motion be denied as moot.

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The parties represent that this transfer of venue is requested in good faith in the interests of convenience and justice for the parties and witnesses, and not for purposes of delay or for any other purpose.

DATED this 21st day of July, 2016.

DATED this 21st day of July, 2016.

RICHARD HARRIS LAW FIRM

**OLSON, CANNON, GORMLEY,
ANGULO & STOBERSKI**

/s/ A. J. Sharp

/s/ Daniela LaBounty

RICHARD A. HARRIS, ESQ.

DANIELA LABOUNTY, ESQ.

Nevada Bar No. 505

Nevada Bar No. 13169

A. J. SHARP, ESQ.

9950 West Cheyenne Boulevard

Nevada Bar No. 11457

Las Vegas, NV 89129

801 South Fourth Street

Attorneys for Defendant

Las Vegas, Nevada 89101

Marie Callender Pie Shops, LLC

Attorneys for Plaintiff

Diane Frink

ORDER

IT IS ORDERED that venue in this matter is hereby transferred to the United States District Court for the Eastern District of California, pursuant to 28 U.S.C. 1404(a).

It is further ordered that Defendant's pending Motion To Dismiss (*Docket Filings #2, #4 (corrected image)*) is denied as moot.

DATED this 27th day of July, 2016.



RICHARD F. BOULWARE, II
United States District Judge